

RULE 330 DISCUSSION

Rule Requirements and History

Rule 330 requires electrostatic precipitators (ESPs) at listed source types to have automatic control systems that are set to provide maximum control.

Rule 330 was promulgated in 1980 as part of Michigan's control strategy to address Total Suspended Particulates (TSP). Non-attainment with the TSP air quality standards required under the federal Clean Air Act a State Implementation Plan (SIP) to reduce emissions from particulate sources, including applying Reasonably Available Control Technology (RACT). Along with later rules addressing iron and steel sources, Rule 330 was approved as part of the RACT SIP in 1992. Revisions to Rule 330 were made in 1985 and 2002; these were also approved as SIP revisions.

ORR Recommendation A-10

The Air Quality Division should engage with USEPA to determine what it would take to get USEPA approval to rescind Rule 330. Based upon that feedback, the DEQ should engage with stakeholders to determine whether to rescind or modify the rule, or take no further action.

Analysis

ESPs, through Rule 330, are the only type of control equipment to which operational requirements have been applied in the AQD rules. No other Region V state appears to have control equipment-specific rules currently included in their SIP.

While specific operational requirements for ESPs would lead to a greater expectation that particulate emission limits are continually complied with, the particulate emission limitations are enforceable without Rule 330. In addition, rules limiting opacity and authorizing staff to seek malfunction abatement plans to prevent, detect, and correct malfunctions or equipment failures also increase assurances of continuous particulate compliance. Finally, sources subject to the Renewable Operating Permit program are required to include a Compliance Assurance Monitoring plan in their permit application, describing the control device parameters to be measured and the appropriate ranges that reflect proper device operation and maintenance.

In light of the above, EPA Region V has responded that they would be willing to approve rescission of Rule 330 as a SIP revision.

Recommendation

Rule 330 is no longer needed and should be rescinded.